



2020 South Dakota Legislature  
**House Bill 1045**  
**ENROLLED**

AN ACT

**ENTITLED An Act to authorize the Board of Regents to contract for the design, renovation of, and addition to, the E.Y. Berry Library on the campus of Black Hills State University and to make an appropriation therefor.**

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

**Section 1.** The Board of Regents may contract for the design, renovation of, and construction of an addition to the E.Y. Berry Library, on the campus of Black Hills State University, with furnishings and equipment including heating, air conditioning, plumbing, water, sewer, electric facilities, sidewalks, parking, landscaping, architectural and engineering services, asbestos abatement, and other services or actions required to accomplish the project for an estimated cost not to exceed nine million three hundred seventy-two thousand two hundred forty-five dollars, subject to any adjustments authorized in section 3 of this Act.

**Section 2.** There is hereby appropriated from the higher education facilities fund allocable to Black Hills State University for the purposes of maintenance and repair the sum of six million three hundred seventeen thousand two hundred forty-five dollars (\$6,317,245), or so much thereof as may be necessary; the sum of three million dollars (\$3,000,000), or so much thereof as may be necessary, from revenue bonds authorized by subdivision (1) of section 2 of chapter 107 of the 2012 Session Laws; and the sum of fifty-five thousand dollars (\$55,000), or so much thereof as may be necessary, in other fund expenditure authority, to the Board of Regents, for the purposes authorized in section 1 of this Act and any adjustments authorized in section 3 of this Act.

**Section 3.** The cost estimates contained in this Act are stated in terms of 2019 values. The Board of Regents may adjust the cost estimates to reflect inflation as measured by the Building Cost Index, reported by the Engineering News Record and additional expenditures required to comply with regulations adopted after the effective date of this Act. Any adjustments to construction cost estimates for the project may not exceed one hundred twenty-five percent of the estimated project construction cost stated in section 1 of this Act.

**Section 4.** The acquisition, construction, completion, remodeling, maintenance and equipping of the E.Y. Berry Library by the Building Authority being in the public interest, the South Dakota Building Authority may finance up to five million four hundred thousand dollars of the design and construction costs of the E.Y. Berry Library project through the issuance of revenue bonds, in accordance with this Act and chapter 5-12.

**Section 5.** The executive director of the Board of Regents shall approve vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

**Section 6.** Any amounts appropriated in this Act not lawfully expended or obligated shall revert in accordance with the procedures prescribed in chapter 4-8.

**Section 7.** No indebtedness, bond, or obligation incurred or created under the authority of this Act may be or may become a lien, charge, or liability against the State of South Dakota, nor against the property or funds of the State of South Dakota within the meaning of the Constitution or laws of the state.

**Section 8.** The Board of Regents may make and enter into a lease agreement with the Building Authority and make rental payments under the terms thereof, pursuant to chapter 5-12, from the higher education facilities fund or any other available funds authorized pursuant to this Act or any other law.

An Act to authorize the Board of Regents to contract for the design, renovation of, and addition to, the E.Y. Berry Library on the campus of Black Hills State University and to make an appropriation therefor.

\_\_\_\_\_  
I certify that the attached Act originated in  
the:  
House as Bill No. 1045

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_ day of \_\_\_\_\_,  
2020 at \_\_\_\_\_ M.

\_\_\_\_\_  
Chief Clerk

By \_\_\_\_\_  
for the Governor

\_\_\_\_\_  
Speaker of the House

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 2020

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
Governor

**STATE OF SOUTH DAKOTA,**

ss.

Office of the Secretary of State

\_\_\_\_\_  
President of the Senate

Attest:

Filed \_\_\_\_\_, 2020  
at \_\_\_\_\_ o'clock \_\_ M.

\_\_\_\_\_  
Secretary of the Senate

\_\_\_\_\_  
Secretary of State

House Bill No. 1045  
File No. \_\_\_\_\_  
Chapter No. \_\_\_\_\_

By \_\_\_\_\_  
Asst. Secretary of State